



From: Amro Ali amro.ali9@icloud.com
Subject: Fwd: appeal letter
Date: September 6, 2019 at 3:07 PM
To:
Cc: Amro Ali amro.ali9@icloud.com

Begin forwarded message:

From: Amro Ali <amro.ali9@icloud.com>
Subject: Fwd: appeal letter
Date: September 6, 2019 at 2:40:37 PM EDT
To: rsadowski@robertwsadowski.com, jsantiago@robertwsadowski.com

This is the original letter for attachment 32
Amro

Sent from my iPhone

Begin forwarded message:

From: Amro Ali <amro.ali9@icloud.com>
Date: July 18, 2018 at 6:34:17 PM EDT
To: Kelly Hutcheson <Kelly.Hutcheson@wmchealth.org>
Cc: Amro Ali <amro.ali9@icloud.com>
Subject: appeal letter

Dear Dr. Hutcheson,

Before I meet with you this Friday, I thought it appropriate to let you know and brief you with details of the past two and half year of my tenure at New York Medical College.

I feel that I was misled over the last three years by promises and my application for ophthalmology residency was not treated fairly, for example GME asking me to pass step 3 exam. before I could start PGY2. This and other issues have caused a lot of pain and emotional damage over the last few years.

In order to provide you information regarding my background, I finished most of my residency in Ophthalmology, in Alexandria University in Egypt. Following that I have four clinical fellowships “Post residency clinical fellowship.” in various programs in the U.S. (Attachment 1) All ophthalmology fellowships in USA are non-accredited except for retina and oculoplastic fellowship programs, please review AUPO. During these fellowship, I worked with some American graduate who finished their residency, such as Nicholas John Butler MD, Assistant Professor of Ophthalmology, Harvard Medical School, Massachusetts Eye and Ear. We were both fellows and trained at the same time at Casey Eye Institute under Dr. James Rosenbaum, Chair of Dever Eye Institute.

In October, 2015. I moved to work for ophthalmology department, NYMC from NYU. I knew from Drs. Sharma and Wandel that department was interested in more research and publications. It was clear from day one that more research work and publications will be rewarded by a residency spot. By that time, I explained to Drs. Sharma and Wandel regarding my situation as I am an international medical graduate who had four clinical fellowship and more than a dozen of publications. During that period, I was also funded from a grant from “the glaucoma foundation” for my work.

I have known that ophthalmology residency is very competitive and I have to give the department a chance to know more about me and about my research work when the department was on probation. I was very clear about my age, country of origin and USMLE scores. I applied for the residency program in October 2015 for a PGY2 position (Attachment

2) when I was told that Dr. Wandel was looking for PGY2 position.

I contacted Jenny Campbell from ACGME ([Attachment 3](#)) and it was clarified to the Program Director Dr. Wandel. I spoke to Dr. Wandel and he mentioned that Dr. Bierman director of GME asked only to hire someone who had already completed PGY1. During all that time, I was encouraged by Drs. Sharma and Wandel to apply and to go through San Francisco match again. My understanding from this encouragement at that time and the knowledge that my USMLE scores and my continued publication were acceptable for being a candidate. ([Attachment 4](#))

In December, 2015. I was hired as Full time, clinical instructor, volunteer "non-paid" in the Department of ophthalmology that would allow me to submit grants and IRB from the department. ([Attachment 5](#)) Dr. Wandel at that time signed my application for a limited permit from NY State Medical Board so that I can apply for clinical privileges. These clinical privileges will help me to participate in exposing the residents to clinical aspect of uveitis curriculum. ([Attachment 6](#))

During these period, I have worked very hard and published more than 8 scientific papers that were based on my own ideas that were started in other programs. It included two chapter in text book, two IRBs in three years and grant applications submitted for research funding. ([Attachment 4](#)) During that time, I worked as a volunteer "non-paid" under the promise that I will get the spot in the residency. This Promise was in the beginning verbal promise and these verbal communications have been told to Dr. Sharma on many occasions that Dr. Wandel will offer me a residency spot in our program based the work I accomplished.

In November, 2016 I applied to the SF match and I got my formal interview at NYMC which I felt I did very well especially when I met attending physicians later and they showed happiness with my work. I believe at that stage Dr. Wandel interfered and mentioned that the residents (Eric and Adam) gave me negative feedback. I have reasons to believe that this was not true. I knew from many sources that these residents were very supportive of my candidacy. Dr. Wandel tried to blame the residents for not ranking me high as he mentioned to me while ago.

According to Dr. Wandel' thought that he mentioned and share them with that I have to go through the SF match but I will be a third spot for 2018 outside the match. Even, in post-match, there was one unfilled position and for some "imaginary reasons which residents feedback", he claimed that he had to offer the position to a NYMC candidate, however, I will be in the same class.

In December, 2016. A resident Dr. Star White, dropped her position and I was offered the position to start as soon I passed step 3 rather than starting in July, 2018. This is a clear statement denoting two things, first that I was promised to start on 07/01/2018 and Secondly, it was conditioned upon having finished step 3. ([Attachment 7](#))

This is a formal promise from department that I have been accepted to the position but I have to pass step 3. I asked Drs. Sharma and Wandel and they mentioned Dr. Bierman will not approve any IMG application before passing step 3 which is not the case for AMG. I was very concern and I contacted FSMB (Federal State Medical Board) and NY State Medical Board, both of them mentioned that step 3 is for final license and not requirement for starting residency. ([Attachment 8](#))

According to NYMC/WMC contract, ([Attachment 9-page 40](#)) passing step 3 to start residency is not requirement but one has to pass the test by the end of the second year. When I asked that ,Program Director, he mentioned that they only accept American graduate without step 3.Such contract is for only American graduate whereas, international medical graduates has to pass step 3 before starting. This is an element of discrimination based on

graduate has to pass step 3 before starting. This is an element of discrimination based on country of origin. (Attachments 7&10)

It is very clear that step 3 is required by IMG and not AMG. Treating AMG and IMG differently falls under prevention of harassment policy according to ACMGE. (Attachment 11) I explained this to PD, Dr. Wandel. Dr. Sharma was also aware about these discussions. However, Dr. Wandel insists on that and he had stated it clearly that this is the policy even if it contradict with the contract. Dr. Wandel referred this as recommendations from the director of GME office, Dr. Bierman.

This was beginning of unfair treatment as you cannot differentiate between candidate (American graduate vs foreign graduate) asking for extra requirement to make it harder. I felt that this put too much pressure on the candidate, especially if one is working in unpaid research projects.

Based on the primary offer and for the acceptance of this position, I completed all given steps at Metropolitan hospital while waiting for step 3 results. I started even to shadow the residents where everyone assumed that I have been accepted based on the results of step 3. (Attachments 12&13&14)

Unfortunately, I attempted step 3 in April 2017 and I did not pass on first time as I was having hard time working free for the department and doing others things to support the family. Finally, I passed step 3 in April 2018. During that year I continued to work very hard and publish my work.

Finally, I found that the promise that I had, has vanished. It was felt by the department that there are doubt about my clinical skills. The prerequisite was passing step 3 but now it appears that different avenues have creped in-- clinical skills-- that I am supposed to be learning during my residency.

In July, 2017. I contacted Dr. Bierman with three emails for a meeting to present my situation and to understand circumstances around asking me for taking step 3 and why NYMC treat IMG differently from AMG. However, I received no reply to my quests. (Attachment 14)

My clinical skills are appropriate as they are well addressed in the recommendation letters that I provided to the department. I have strong recommendation letters from previous mentors denoting my outstanding clinical skills and bedside manners. I offered them also to contact my previous mentors to verify and check my previous performance. I explained to the Program director in an email that I used to see 60 patients per day and my patients liked me as attested by the recommendation letters. (Attachment 1).

In June, 2018. I asked to meet with Dr. Wandel in his office where he agreed that I was not treated fairly and he promised to work with our chair person, Dr. Hutcheson to resolve the conflict without any clear follow up or outcome. I updated Dr. Sharma about the meeting and I sent a summary email for the meeting denoting Dr. Wandel's promise to create a position especially if the program is accredited for 10 spots as per ACGME. (Attachment 15)

After more than three years working for the NYMC and the Ophthalmology department, I am feeling that I was not treated fairly and I was misled to continue my work for the department without fulfillment of department's promise to me. I applied for the first time in 2015 where my application was reviewed and approved. My USMLE scores and age were clear from day one three years ago.

I hope that these chronological attachments and varied background information serve a positive venue to discuss with you on Friday

I am looking forward to start my career and to be rewarded for the work I did for the department and to NYMC and the Ophthalmology department.

I am expecting that the department resolve this issue and fulfillment all their commitments.
Looking forward to seeing you on Friday.

Sincerely yours,

A.Ali

Please Pardon me as attachments look in different format.